

BEFORE  
THE PUBLIC SERVICE COMMISSION OF  
SOUTH CAROLINA

DOCKET NO. 2012-188-C - ORDER NO. 2012-414

MAY 23, 2012

IN RE: Petition of BellSouth Telecommunications,	)	ORDER REVERSING
LLC d/b/a AT&T South Carolina Requesting	)	NUMBERING
the Commission's Intervention in Numbering	)	DETERMINATION
Resources Determinations in the Chapin	)	
Little Mountain South Rate Center - The	)	
Shaw Group, Inc.	)	

This matter comes before the Public Service Commission of South Carolina ("Commission") on the Petition of BellSouth Telecommunications, LLC d/b/a AT&T South Carolina ("AT&T" or the "Company") for review of the North American Numbering Plan Administrator's and/or the Pooling Administrator's (collectively "NANPA/PA" also known as "Central Office Code Administration") central office code numbering resources decision to deny the Company's request for numbering resources in the Chapin Little Mountain South Rate Center. AT&T's customer who needs the additional numbering resources is The Shaw Group, Inc. In order to meet The Shaw Group, Inc.'s express request for numbers, AT&T South Carolina requested the assignment of one thousands-block in the 803 NPA with an NXX that does not end with a 0 or a 9 to go along with this customer's existing dialing plan. According to AT&T, it submitted the request to NANPA/PA on April 23, 2012. AT&T states it does not have the numbers to meet its customer's request and asks that the Commission reverse NANPA/PA's denial.

NANPA/PA's refusal stems from the Federal Communications Commission's ("FCC") "rate center" basis for determining the need for new numbering resources. Under FCC rules, carriers must exhaust their numbering inventory within six months of the application and meet a rate center utilization threshold of 75 percent in order to receive additional numbering resources. However, the record reveals that at the time of the request the Chapin Little Mountain South Rate Center was 13.953 months from exhausting their inventory for the relevant blocks and was using 63.666% of its numbering resources.

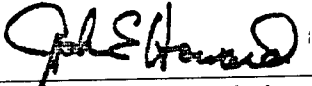
Although AT&T fails to meet NANPA/PA's requirements, the FCC maintains a policy that "under no circumstances should customers be precluded from receiving telecommunications services of their choice from providers of their choice for want of numbering resources." FCC 000-429 at ¶ 61. To this end, the FCC allows carriers to challenge a NANPA/PA decision at the appropriate state regulatory commission. FCC 01-362 at ¶¶ 61-66; Central Office Code (NXX) Assignment Guidelines § 13.0. States may grant relief "if a carrier demonstrates that it has received a request for numbering resources in a given rate center that it cannot meet with its current inventory." FCC 01-362 at ¶ 64.

We find that the South Carolina Public Service Commission, as the regulator of the rates and service of telecommunications companies under the authority of S.C. Code Ann. § 58-9-210 et seq., has the authority under both the FCC's rules and the Central Office Code (NXX) Assignment Guidelines to review a decision by NANPA/PA denying a request for numbering resources. We further find that AT&T has demonstrated receipt


of a customer request for numbering resources that it cannot meet with its current inventory. It is our opinion that these additional numbering resources are necessary for AT&T to provide its customer with the required telecommunications service. Consequently, we hold that NANPA/PA is directed to approve AT&T's request as described above.

This Order shall remain in full force and effect until further order of the Commission.

BY ORDER OF THIS COMMISSION:

  
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John E. Howard, Chairman

ATTEST:

  
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David A. Wright, Vice Chairman

(SEAL)